

## **REMARKS**

Claims 1-20 are pending in this application. Claims 1, 9, 18, 19, and 20 have been amended to correct a minor typographical error. After entry of the amendments, claims 1-20 remain pending. Since the claims have not been substantively amended, Applicants respectfully request reconsideration of the present patent application. Further, the Examiner is thanked for the thoughtful and careful consideration of the present patent application. Applicants believe that in light of the remarks presented herein, the present application is in condition for allowance and Applicants respectfully request prompt and favorable action.

Claims 1-20 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Muschetto (U.S. Patent Number 6,850,255) and Kanevsky (U.S. Patent Number 6,300,947).

### **Response to the Rejections of Claims 1-20 under 35 U.S.C. 103(a)**

Claims 1-20 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Muschetto and Kanevsky. Claim 1 recites a method of generating a user interface for a device. The method comprising the steps of: (a) generating a plurality of sets of user interface elements, each of the plurality of sets of user interface elements comprising one or more user interface elements, wherein each user interface element is associated with a defined region of the user interface. The method also includes: (b) ordering each of the plurality of sets of user interface elements into a sequence within an archive file and (c) querying each of the plurality of sets of user interface elements to select a plurality of user interface elements for use in the user interface, the plurality of sets being queried in accordance with the ordering performed in step (b), wherein if more than one user interface element is associated with the same region of the user interface then a selected user interface element is taken from a set of elements which occurs first within the sequence determined in step (b). Moreover, the method includes (d) rendering the user interface in accordance with the plurality of user interface elements selected in step (c).

Muschetto teaches a graphical user interface (GUI). The GUI includes a panel along each of its edges. Each panel may be opened and closed in no specific order. Specifically, as indicated in column 12, line 4 through line 16 of Muschetto, the GUI teaches a People panel, a Places panel, a Things panel, and a Home panel that are initially presented in a closed state at each side of the GUI. Icons are provided that may be used to further identify each panel. In the preferred embodiment, as taught by Muschetto, the central portion of each panel is curved to

form a handle to accommodate a respective identifying icon and to provide a further visual suggestion to a user that a pointing device, e.g., a cursor, may be used to select and slide open the panels toward the central portion of the GUI, i.e., like pulling open a desk drawer.

As stated briefly above, the panels may be opened in any particular order and the last opened panel or the last selected opened panel may be positioned as the topmost open panel, i.e., as the top of the z-order for the panels. Specifically, at column 13 line 61 through column 14 line 5, Muschetto recites an example that supports this statement:

FIG. 4. also illustrates Places panel 206 overlapping People panel 203. This arrangement is a result of a user's having opened Places panel 206 when People panel 203 was already in its open state. Additionally, this arrangement of panels would result if both panels were open, arranged with People panel 203 overlapping Places panel 206, and a user were to select any portion of Places panel 206 except for the portion of the panel's edge that generates a panel state event. This is because a user's selection of a open panel causes the invention's GUI to position the selected panel as the topmost of any open panels (e.g., assigns it to the top of the z-order).

The panels, aka, sets of user interface elements according to the Office Action, are not ordered into a sequence. In the first example in the above quote, People panel is opened before Places panel. In the second example, in the above quote, Places panel is opened before People panel (i.e., People panel overlaps Places panel according to the z-order). The Office Action states that Muschetto teaches a portion of step (b) of the method recited in claim 1. Specifically, the Office Action states that Muschetto teaches "ordering each of the plurality of sets of user interface elements into an sequence." However, as clearly demonstrated above, there is not an order associated with the panels of Muschetto. As such, Muschetto does not teach "ordering each of the plurality of sets of user interface elements into a sequence."

Further, since Muschetto does not teach the ordering stated in element (b) of claim 1, Muschetto cannot teach step (c) of claim 1 wherein "the plurality of sets being queried in accordance with the ordering performed in step (b)." In turn, Muschetto cannot teach step (d) which includes "rendering the user interface in accordance with the plurality of user interface elements selected in step (c)." Accordingly, Muschetto does not teach steps (b), (c), or (d) of the method recited above in claim 1. Further, Kanevsky, discussed in detail below, does not teach steps (b), (c), or (d) and the proposed combination of Kanevsky with Muschetto does not result

in the method recited in claim 1 since several elements of claim 1 are clearly missing from the cited prior art. Additionally, since the panels of Muschetto may be selected and displayed in any order, Muschetto affirmatively teaches away from “ordering each of the plurality of sets of user interface elements into a sequence within an archive file.”

The Office Action further states that “[a]lthough Muschetto teaches order each of the plurality of set of user interface elements into an sequence as described above, Muschetto does not specifically teach teaches order each of the plurality of set of user interface elements into an sequence within an archive file.” The Office Action relies on Kanevsky to teach “order each of the plurality of set of user interface elements into a sequence within an archive file.”

Kanevsky discloses an invention that provides organization of viewing material associated with web sites for visual displays and windows on and within which these web pages are being viewed. Further, Kanevsky teaches a new web site design that incorporates features that permit automatic display of the content of web pages in the most friendly manner for a user viewing this content from a screen or window of a certain size. Specifically, the unique display strategy of the invention is provided by a web page adaptation scheme that is implemented on a web site server, and also preferably partly incorporated on a client's computer such as in a web browser (e.g., as a java applet).

The invention of Kanevsky also preferably provides a semantic interpreter module that automatically decides how to fold or expand the content of web pages depending on a size of a screen or window without using preliminary marks left by web designers. Specifically, the semantic module can be formed as a Finite State Automata (FSA) system whose states and arcs correspond to different web page appearances (e.g., links, titles, sizes of words, semantic interpretation words in links and titles, relative position of main items on pages). The invention of Kanevsky also provides a means for counting how often each link on a page is visited. The links can be ordered via these counts and, as a result, on small screens or windows, links with higher scores are displayed first.

It is clear that the invention of Kanevsky may be used to display web content and not a user interface for a device. Specifically, Kanevsky states that, “[t]he present invention relates to systems and methods for organizing viewing materials and, more particularly, to systems and methods for organizing viewing materials associated with web sites on visual display screens and windows on and within which the viewing materials, e.g., home or web pages, are being viewed.” Kanevsky relates to content and Muschetto relates to a graphical user interface. As

such, Kanevsky and Muschetto are non-analogous art. Further, since Muschetto is designed to work in any order, e.g., panels may be displayed in any order, ordering the panels as allegedly taught by Kanevsky would render Muschetto inoperable. As such, it is impossible to combine Kanevsky with Muschetto because the resulting combination would be inoperative. Moreover, as stated above, the combination of the reference would not replicate the method recited in claim 1 of the present application since steps (b), (c), and (d) are not taught in either reference.

Accordingly, claim 1 is patentably distinct from the cited prior art. Further, any claims that depend from claim 1 are also patentably distinct from the cited prior art.

For at least the same reasons discussed above, claims 9, 19, and 20 are patentably distinct from the cited prior art. Moreover, any claims that depend from claims 9, 19, and 20 are also patentably distinct from the cited prior art.

### CONCLUSION

In light of the amendments contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

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